

FLOOR SCHEDULE FOR WEDNESDAY, FEBRUARY 25, 2015

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative Business Fifteen "One Minutes"	1:30 – 2:00 p.m.	3:30 – 4:30 p.m.

H.Res. 121 – Rule Providing for Consideration of both H.R. 529 – To Amend the Internal Revenue Code of 1986 to Improve 529 Plans (Rep. Jenkins – Ways and Means) and General Debate of H.R. 5 – Elementary and Secondary Education Reauthorization Act (Rep. Kline – Education and the Workforce) (One Hour of Debate). The Rules committee has recommended one Rule which would provide for consideration of H.R. 529 and general debate of H.R. 5.

For H.R. 529, the Rules Committee has recommended a closed Rule that provides for one hour of general debate, equally divided and controlled by the Chair and Ranking Member of the Committee on Ways & Means. The Rule allows one motion to recommit and waives all points of order against the resolution.

The Rule also provides for one hour of general debate on H.R. 5, equally divided between the Chair and Ranking Member of the Committee on Education and the Workforce. A second Rule, providing for the consideration of amendments to H.R. 5, is expected to be considered on the Floor tomorrow.

The Rule also waives Clause 6(a) of Rule XIII, the requirement of a two-thirds vote to consider a Rule on the same day it is reported from the Rules Committee. This waiver will be applied to any bill reported from the Rules Committee through the legislative day of March 2, 2015, relating to a measure making or continuing appropriations for the Department of Homeland Security for FY2015.

Lastly, the Rule allows for Suspension Authority through the legislative day of March 1, 2015, relating to a measure making or continuing appropriations for the Department of Homeland Security for FY2015. **Members are urged to VOTE NO.**

H.R. 529 – To Amend the Internal Revenue Code of 1986 to Improve 529 Plans (Rep. Jenkins – Ways and Means) (One Hour of Debate). This bill would make minor modifications to Section 529 of the tax code, which governs savings accounts with tax-free disbursements for the purpose of paying for college tuition, purchasing college credits, and other qualified educational expenses – such as books, supplies and equipment, as well as expenses for special-needs services.

The bill would modify 529 accounts to include computers and software as qualified educational expenses. It would also allow for refunded tuition and education expenses (i.e. when a student withdraws from school due to illness) to be returned to 529 accounts without a tax penalty. Additionally, it would disaggregate distributions for individuals with multiple 529 Plan accounts, allowing non-educational-related distributions from accounts when they have no otherwise taxable gains.

The Joint Committee on Taxation (JCT) estimates that this package of permanent tax cuts will add \$51 million to the deficit over 10 years.

Bill Text for H.R. 529:

[PDF Version](#)

Background for H.R. 529:

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

[CRS Report:](#) Tax-Preferred College Savings Plans: An Introduction to 529 Plans

Begin Consideration of H.R. 5 – Elementary and Secondary Education Reauthorization Act (Rep. Kline – Education and the Workforce) (One Hour of Debate). This bill reauthorizes the Elementary and Secondary Education Act (ESEA) for fiscal years 2016 through 2021, followed by an automatic reauthorization through FY2022. It authorizes \$116.5 billion in funding through FY2021 for ESEA programs, flat funding these programs at \$23.3 billion per year, the FY2015 appropriated level, without allowing room for even inflationary adjustments despite a combined projected 14% decrease in purchasing power due to inflation and 3.2 million student enrollment increase before 2021.

The bill makes several detrimental funding changes to programs in ESEA. It combines the funding for all programs and subgroups included in Title I (Improving the Academic Achievement of the Disadvantaged) of ESEA into a block grant called Local Academic Flex Grants. States and local districts are allowed to use these grants for any activity authorized under Title I at any school that receives Title I funds. The bill requires that 10% of the Local Academic Flex Grants be used for private sector schools. The bill also eliminates the poverty threshold requirement of current law, which states that if the percentage of students living in poverty in a particular school is less than 40, Title I funds must be spent on programs targeting those low-income students specifically. Further, it includes a portability of Title I funds provision that will divert and dilute limited funds from high-need schools or districts with a high concentration of poverty. These three changes would have the effect of allowing funds to be diverted away from schools with the highest poverty and allows districts to send less money to low-income schools and more money to wealthier schools. Lastly, H.R. 5 block-grants all funding for special populations such as English learners, migrant students, Native students, and at-risk students, and allows those funds to be spent outside of those populations.

The bill eliminates supports for teachers and eliminates collective bargaining protections in current law. H.R. 5 repeals the highly-qualified teacher requirement (under current law, in order to be deemed a highly qualified teacher, public school teachers must hold at least a bachelor's degree, have obtained full state certification or have passed the state teacher licensing examination, and hold a license to teach), as well as the requirement that qualified teachers be equitably distributed so that some areas are not disproportionately served by unqualified teachers. This allows funding for teacher supports to be shifted away from the poorest schools to wealthier ones. It also eliminates the requirement to ensure quality professional development for teachers, only assessing them for hiring or firing, and eliminates dedicated funding for this purpose.

The bill also weakens protections for students with disabilities and fails to ensure that all children receive quality education. H.R. 5 eliminates the 1% cap for the number of students allowed to be assessed under alternative standards. This would permit all students with disabilities to be held to lower standards and given different assessments, effectively allowing those students to be educated in a lesser system. Further, it removes limits on the numbers of students who can be diverted into this alternate system, creating a perverse incentive to over-identify children for special education as a way to improve the average performance score of those students who remain in the regular assessment system. Finally, the bill removes graduation rates as an accountability measure, again creating a perverse incentive to encourage lower performing students to drop out.

Instead of improving standards and accountability to ensure that students are college or career ready, H.R. 5 removes accountability provisions that ensure all students receive a quality education. The bill allows states to weaken standards, weaken the assessment process, and institute weak accountability systems that would not require performance targets for student achievement, specific actions to improve low performance, or consequences if schools do not improve. Lastly, the White House has issued a SAP stating that the President's senior advisors would recommend that he veto this bill.

There is no question that the Elementary and Secondary Education Act is overdue for an update. However, instead of fixing the problems and improving quality and testing provisions, H.R. 5 would provide inadequate funding and move backward on equity and accountability, harming the education of our nation's children. **Members are urged to VOTE NO.**

Bill Text for H.R. 5:

[PDF Version](#)

Background for H.R. 5:

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

[CRS Report](#): ESEA Reauthorization Proposals in the 114th Congress: Selected Key Issues

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule for Thursday, February 26: The House will meet at 12:00 p.m. for legislative business. The House is expected to continue consideration of H.R. 5 – Elementary and Secondary Education Reauthorization Act (Rep. Kline – Education and the Workforce) (Subject to a Rule).



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The Daily Quote

"While [Rep. Charlie] Dent [R-PA] thinks Obama overstepped his executive authority in shielding millions of immigrants living in the U.S. illegally from deportation, he's joining Democrats in calling for a clean funding bill that doesn't include any controversial riders.... 'I never felt that defunding the president's executive action was part of a good tactic. I don't think that tactic will yield a successful outcome,' said Dent, who noted that states are challenging Obama's actions in the courts. 'My comments are about tactics, and I believe bad tactics yield a bad outcome. Somebody told me, 'You don't know what the Senate will pass.' Well, I know what the hell the Senate is not going to pass — they're not going to pass the bill we sent them.'"

- The Hill, 2/25/2015